IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 20578 of 2004

Between:

Gadde Bulli Raju, S/o. Duggi Raju,
R/o. Reddiganapavaram, Buttaigudem Mandal,
W.G.District.

..... PETITIONER

AND

1 The Superintendent of Police, W.G.District, Eluru.
2 The Sub-Divisional Police Officer, jangareddygudem,
West Godavari District.
3 The Station House Officer, Buttaigudem P.S.,
Buttaigudem.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue order direction more particularly one in the nature of writ of Mandamus declare the action of the respondents in not conducting the investigation in Crime No.82/2004 on the file of Buttaigudem P.S. is illegal, arbitrary and contrary to the provisions of Cr.P.C. and consequently direct the respondents arrest the accused in Crime No.82/2004 on the file of Buttaigudem P.S. and complete the investigation.

Counsel for the Petitioner: MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following Order:

On the basis of the complaint of the petitioner, dated 12-10-2004, Crime No.82 of 2004 has been registered on the same day by the third respondent – Station House Officer, Buttaigudem Police Station. This writ petition is filed on 5-11-2004 alleging inaction on the part of the respondents in proceeding with the investigation. I do not see any justifiable reason to grant the declaration as prayed for in the absence of any specific material to substantiate the alleged inaction. The writ petition appears to be premature and accordingly the same is dismissed granting leave and liberty to the petitioner to institute fresh proceedings in case necessity thereof arises. No costs.

_____

09-11-2004

kdl

To

1 The Superintendent of Police, W.G.District, Eluru.
2 The Sub-Divisional Police Officer, jangareddygudem,
West Godavari District.
3 The Station House Officer, Buttaigudem P.S.,
Buttaigudem.

4 Two C.Cs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.